

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

BRYANT KELLY PRIDE,

Defendant.

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Case No. 1:07CR00020

FINAL ORDER

By: James P. Jones

United States District Judge

For the reasons stated in the accompanying Opinion, it is **ORDERED** as follows:

1. The defendant's motion (ECF No. 138), to the extent that it seeks relief from judgment under Fed. R. Civ. P. 60(b)(6) and 15(c), is **DENIED**;

2. The Clerk is **DIRECTED** to redocket the defendant's pro se motion (ECF No. 138) as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. § 2255;

3. The § 2255 motion is hereby **DENIED** without prejudice as successive;

4. The § 2255 motion is stricken from the active docket of the court; and

5. A Certificate of Appealability is **DENIED**.

ENTER: February 22, 2012

/s/ James P. Jones

United States District Judge